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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,008	08/21/2006	Satoshi Kadokawa	Q96579	6887
65565 SUGHRUE-265	7590 10/28/201 5550	EXAMINER		
	LVANIA AVE. NW	YABUT, DANIEL D		
WASHINGTO	N, DC 20037-3213		ART UNIT	PAPER NUMBER
			3656	
			NOTIFICATION DATE	DELIVERY MODE
			10/28/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, PROM THE MAILING DATE OF THIS COMMUNICATION. Examinate in many be available under the provision of 50° FR1 1-1900, in no event, however, may a reply be timely filled. If NO period for right is specified above, the maximum abstratory printed will apply and will expres SIX (6) MONTHS from the mailing date of this communication. Fallish to right white the set or extended period for right will, by stables, came the application become ABANDOSTIC 301 U.S. C, § 133. Provincy insolved by the Both of the size in than these months after the mailing date of this communication, several falliesly filled, may reduce any source plant in mailing times. Set 2 (2 FR 1-1740) Status 1) Responsive to communication(s) filled on 66 August 2010. 2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-39 is/are pending in the application. 4a) Of the above claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) is/are objected to. 8) The specification is objected to by the Examiner. 9) The specification is objected to by the Examiner. 10) The drawing(s) filled on is/are: a) accepted or b) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). 2a) All b) Some coll None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17-2			Application No. Applicant(s)		Applicant(s)				
DANIEL YABUT 3666			10/590,008		KADOKAWA ET AL.				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address = Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. Learness of time may be available under the procision of 37 CFI1-13(b), in no event however, may a reply be timely filled 3 NO period for reply is appelled above, the maximum statutory pointed will apply and will expres SIX (6) MONTHS from the marging date of this communication. 5 Pallus to reply wheth the set of exhabited prior of for reply is appelled above. Be maximum statutory pointed will apply and will expres SIX (6) MONTHS from the marging date of this communication, even if timely flood, may release any statute plant times absulance. Set 27 RE 17-16(1) 5 Pallus to replace the specified above. Be maximum statutory pointed will apply and will expres SIX (6) MONTHS from the marging date of this communication, even if timely flood, may release any statute plant times application in the production of the maximum statutory point in the production and the production of the production and plant in the maximum statutory point in the production is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) □ is/are pending in the application. 4a) Of the above claim(s) □ is/are allowed. 5) □ Claim(s) □ is/are allowed. 6) □ Claim(s) □ is/are allowed. 6) □ Claim(s) □ is/are allowed. 7) □ Claim(s) □ is/are allowed. 8) □ Claim(s) □ is/are objected to by the Examiner. 10) □ The drawing(s) filed on □ is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on □ is/are: a) □ accepted or b) □ objected to by the Examiner. Application Papers 1	Office Action Summary	′	Examiner		Art Unit				
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Exhibition of time may be available undue the provisions of 37 GFR 1 1360µ, In no event, however, may a neigh be timely filled. - If No pared for maje is specified above, the maximum statuthery pariot all large plan all village in \$K\$ (\$) MONTHS from the maling table of this communication, reply to be filled the provision in set or exhibited provision is set or exhibited provision in the set or exhibited provision in the set of exhibited provision in the									
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12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) 1 Notice of Informal Patent Application									
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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. **Claims 1-30**, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Sada (US Patent 5,885,690).

Sada discloses rolling sliding parts of a surface which contacts another member comprising a(n):

Re claim 1

- Occupation ratio being set from 90% or more to less than 100% (C3 / L38-41)
- Occupation ratio is calculated by dividing a sectional area of a virtual plane in a plane direction at a portion that is positioned at a depth of 2.0 micrometers from the outermost surface position (C3 / L33-37; i.e. Rpk = Ry depth = 2.22 micrometers 2 micrometers = 0.22 micrometers) by an area of an overall surface of a portion that contacts the other member
- Outermost surface position is defined as a highest portion out of fine roughnesses existing on the surface (C3 / L33-35; Fig. 1A)

Re claim 2

• Occupation ratio is set from 80% or more to less than 100% (C3 / L38-41)

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Occupation ratio is calculated by dividing a sectional area of a virtual plane in a plane direction at a portion that is positioned at a depth of 1.5 micrometers from the outermost surface position by an area of an overall surface of a portion that contacts the other member (C3 / L33-37; i.e. Rpk = Ry – depth = 1.66 micrometers – 1.5 micrometers = 0.16 micrometers)

 Outermost surface position is defined as a position of a highest portion out of fine roughnesses existing on the surface (C3 / L33-35)

Re claim 3

- Occupation ratio is set from 50% more to less than 100% (C3 / L38-41)
- Occupation ratio is calculated by dividing a sectional area of a virtual plane in a plane direction at a portion that is positioned at a depth of 1.0 micrometers from the outermost surface position by an area of an overall surface of a portion that contacts the other member (C3 / L33-37; i.e. Rpk = Ry depth = 1.11 micrometers 1.0 micrometers = 0.11 micrometers)
- Outermost surface position is defined as a position of a highest portion out of fine roughnesses existing on the surface (C3 / L33-35)

Re claim 4

Occupation ratio of a sectional area of a virtual plane in a plane direction at a portion that is positioned at a depth of 1.5 micrometers from the outermost surface position (C3 / L33-37; i.e. Rpk = Ry – depth = 1.66 micrometers – 1.5 micrometers = 0.16 micrometers), to the area of the surface that contacts the other member is set to 80 % or more (C3 / L38-41).

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Re claim 5

Occupation ratio of a sectional area of a virtual plane in a plane direction at a portion that is positioned at a depth of 1.0 micrometers from the outermost surface position
 (C3 / L33-37; i.e. Rpk = Ry - depth = 1.11 micrometers - 1.0 micrometers = 0.11 micrometers), to the area of the surface that contacts the other member is set to 50 % or more (C3 / L38-41).

Re claim 6

• An occupation ratio of a sectional area of a virtual plane in a plane direction at a portion that is positioned at a depth of 1.5 micrometers from the outermost surface position (C3 / L33-37; i.e. Rpk = Ry – depth = 1.66 micrometers – 1.5 micrometers = 0.16 micrometers), to the area of the surface that contacts the other member is set to 80 % or more (C3 / L38-41), and also an occupation ratio of a sectional area of a virtual plane in a plane direction at a portion that is positioned at a depth of 1.0 micrometers from the outermost surface position (C3 / L33-37; i.e. Rpk = Ry – depth = 1.11 micrometers – 1.0 micrometers = 0.11 micrometers), to the area of the surface of a portion that contacts the other member is set to 50% or more (C3 / L38-41).

Re claims 7-12

• The rolling sliding part is a roller constituting a cam follower unit (Fig. 3) in which an outer peripheral surface of a roller (11a) supported rotatably around a roller supporting shaft (12) is brought into contact with an outer peripheral surface of a cam (at 7) via a rolling contact.

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Re claim 13-18

• The rolling sliding part is a rocker arm (at 3; C5 / L52-59) into a part of which a cam follower unit is incorporated.

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Re claims 19-24

• The rolling sliding part is an inner ring (near 13; C5 / L43-51) having a cylindrical inner ring raceway on an outer peripheral surface or a shaft (12).

Re claim 25-30

• The rolling sliding part is a needle (13; C5 / L43-51) that is provided rollably between a cylindrical inner ring raceway and a cylindrical outer ring raceway (Fig. 2)

Response to Arguments

Applicant's arguments filed 8/6/2010 have been fully considered but they are not persuasive.

In response to Applicant's argument that Sada does not anticipate or render obvious the claimed invention, the expression "Rpk = Ry – depth" is recited above to show that the range requirements, 1) Rpk / Ry \leq 0.1 and 2) Ry being between 1 to 3 μ m, are satisfied when considering the occupation ratio at the depths of 2.0 μ m, 1.5 μ m and 1 μ m for roughness profiles having an Ry equal to 2.22 μ m, 1.66 μ m and 1.11 μ m, respectively. In other words, it is important to note that it is *possible* to evaluate the occupation ratio at the depths of 2.0 μ m, 1.5 μ m and 1 μ m from the outermost surface position in accordance to the conditions defined in Sada.

Furthermore, Sada discloses that the occupation ratio is *set* to 90%-95%, a range at which *all* of occupation ratios in the respective claim limitations are met. Column 3, lines 38-41 recites

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"the ratio of the open area of the very small recesses to the whole area of the rolling contact surface 11a, that is, the area ratio is set to 5 to 20% and more particularly, 5 to 10%" (emphasis added). Note that the inverse of the "area ratio" is equivalent to the occupation ratio. Column 4 lines 48-53 recites, "The conditions of the shot blasting and barrel finishing may be suitably so set that the surface roughness of the rolling contact surface 11a and the area ratio of the very small recesses are in the above-mentioned ranges" (emphasis added). The implication from the above recitations is that the rolling surface 11a is configured such that the "area ratio" at a depth of 0 µm after shot blasting and barrel finishing as recited above is equal to 5 to 10%, yielding a 90-95% occupation ratio. Additionally, the load curve M shown in Figure 1B illustrates that as the cut level (plane depth) increases, the occupation ratio increases. Therefore, the occupation ratio taken at *any* depth greater than 0 µm must be *at least* 90%, a value that is encompassed by all of the respective claim limitations above. As such, Sada indeed discloses all of the claim limitations.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to DANIEL YABUT whose telephone number is (571)270-5526.

The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:00 P.M.

EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richard W. Ridley can be reached on (571)272-6917. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DANIEL YABUT/

Examiner, Art Unit 3656

10/21/2010

/Richard WL Ridley/

Supervisory Patent Examiner, Art Unit 3656